

SEP 03 2004

MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDSCourt Northern Mariana Islands
By Deputy Clerk

CR-04-00032

September 3, 2004
11:45 a.m.**UNITED STATES OF AMERICA -v- DIONICIO A. LIZAMA**

PRESENT: HON. ALEX R. MUNSON, JUDGE PRESIDING
 SANAE N. SHMULL, COURT REPORTER
 K. LYNN LEMIEUX, COURTROOM DEPUTY
 PATRICK SMITH, ASSISTANT U.S. ATTORNEY
 DANILO AUGILAR, ATTORNEY FOR DEFENDANT
 DIONICIO LIZAMA, DEFENDANT

PROCEEDINGS: WAIVER OF INDICTMENT, FILING OF INFORMATION

Defendant appeared with counsel Attorney Danilo Aguilar. Government was represented by Patrick Smith, AUSA.

Defendant was sworn and examined as to his health, state of mind, understanding of the charges in the Information and his constitutional rights.

After questioning the defendant regarding his financial abilities, and inquiring as to whether he wanted the Court to appoint counsel for him, Court appointed Attorney Danilo Aguilar, nunc pro tunc.

Defendant stated that he wished to waive the indictment. The defendant and his counsel acknowledged their signatures on the waiver in open court. Court stated that the waiver was knowingly, voluntarily, and intelligently made and therefore was accepted by the Court.

Defendant waived the reading of the information and entered a plea of NOT GUILTY and Court set jury trial for Monday, November 1, 2004 at 9:00 a.m.

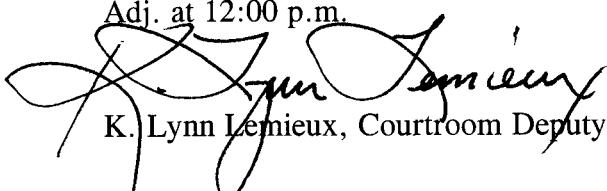
Government moved the defendant remain at liberty on conditions. Defense had nothing to add.

Court ordered the defendant released on the following conditions:

1. That the defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed;
2. That the defendant execute an unsecured bond in the amount of \$5,000;

3. That the defendant shall not leave the Commonwealth of the Northern Mariana Islands without the written permission of the Court;
4. That the defendant shall provide a location map of his residence to the U.S. Marshal;
5. That the defendant shall not relocate to another residence without prior notification to the court, his counsel and the U.S. Marshal;
6. That the defendant submit to pretrial services supervision;
7. That the defendant submit to any method of testing required by the pretrial services officer for determining whether the defendant is using a prohibited substance;
8. That the defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances unless prescribed by a licensed medical practitioner;
9. That the defendant shall avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution unless in the presence of his attorney for the purpose of preparing for his case; and
10. That the defendant shall refrain from possessing a firearm, destructive device, or other dangerous weapon or have such weapons at his residence.

Defendant was remanded into the custody of the U.S. Marshal until the proper paperwork could be processed.

Adj. at 12:00 p.m.

K. Lynn Lemieux, Courtroom Deputy